

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In Re:)	Case No. 21-08844
)	
SAMELLA DILLARD,)	Judge Cox
)	
Debtor.)	Chapter 13
-----)	
SAMELLA DILLARD,)	
Debtor,)	
vs.)	Adv. Case No.
)	
RED PINE PROPERTIES, LLC, and)	
SWEET HOME CHICAGO MANAGEMENT,)	
LLC,)	
Defendants.)	

**COMPLAINT TO AVOID FRAUDULENT CONVEYANCE OR,
IN THE ALTERNATIVE, TO RECOVER VALUE**

NOW COMES the Plaintiff, SAMELLA DILLARD, by and through her attorney, Dustin B. Allen, to complain of the Defendants, RED PINE PROPERTIES, LLC (hereinafter “Red Pine”), and SWEET HOME CHICAGO MANAGEMENT, LLC (hereinafter “Sweet Home”), as follows:

Parties

1. The Plaintiff, Samella Dillard, is the Debtor in case no. 21-08844, a bankruptcy case under Title 11, Chapter 13 of the United States Code, in the Northern District of Illinois. The case was filed on July 26, 2021.
2. Red Pine is a foreign limited liability company registered under the laws of the State of Illinois, with a principal office at 55 W. Monroe St., Suite 910, Chicago, IL 60601. See Exhibit A (LLC File Detail Report for Red Pine).
3. Sweet Home is a domestic limited liability company formed under the laws of the State of Illinois, with a principal office at 10805 S. Halsted St., Chicago, IL 60628. See Exhibit B (LLC File Detail Report for Sweet Home)

Jurisdictional Statement

4. This court has jurisdiction pursuant to 28 U.S.C. §1334 and 28 U.S.C. §157.
5. This adversary proceeding relates to the bankruptcy proceeding of the Plaintiff.
6. Each count is a core proceeding under 28 U.S.C. §157(b)(2).
7. Venue lies in the Northern District of Illinois pursuant to 28 U.S.C. §1408 and §1409.

Facts Common to All Counts

8. At all relevant times, Plaintiff had and currently have, as their principal residence, real estate commonly known as 8129 S. Evans Ave., Chicago, IL 60619 (hereinafter “Homestead”), with PIN 20-34-223-008-0000.
9. The Plaintiff received this property on or about May 23, 2013, through Warranty Deed from Mattie Mae Randolph Dillard. See Exhibit C (Warranty Deed).
10. On June 6, 2016, delinquent real estate taxes for the Homestead were sold to Red Pine. See Exhibit D (Tax Deed).
11. On or about February 24, 2020, the County Clerk of the County of Cook issued a Tax Deed Pursuant to §35 ILCS 200/22 to Red Pine. See Exhibit D.
12. Less than a month later, on March 19, 2020, Red Pine conveyed the property through Special Warranty Deed to Sweet Home. See Exhibit E (Special Warranty Deed).

Count I – Fraudulent Transfer (11 U.S.C. §548)

13. Plaintiff incorporates by reference paragraphs 1-12 of the Complaint.
14. The tax deed transferred an interest in the property of Plaintiff to Red Pine.
15. The transfer to Red Pine was made within two years before the date of the filing of this bankruptcy petition.
16. The Plaintiff received less than reasonable equivalent value in exchange for such transfer.
17. The Plaintiff was insolvent on the date of such transfer.

Count II – Fraudulent Transfer of Immediate Transferee of Initial Transferee (11 U.S.C. §548).

18. Plaintiff incorporates by reference paragraphs 1-17 of the Complaint.

19. Sweet Home is an immediate or mediate transferee of Red Pine, the initial transferee of the Homestead.

20. Plaintiff, under information and belief, alleges that Sweet Home had knowledge of the voidability of the transfer made by the tax deed.

Prayer for Relief

WHEREFORE, pursuant to 11 U.S.C. §548 and §550, Plaintiff prays that this Honorable Court:

- (a) set aside the tax deed and subsequent special warranty deed and place legal title to the Homestead in the name of the Plaintiff, subject to the requirements and/or conditions of Title 11;
- (b) in the alternative, enter judgment against Red Pine and/or Sweet Home for the equitable value of the Homestead; and/or
- (c) any other relief that this Honorable Court deems proper.

Respectfully Submitted,

/s/ Dustin B. Allen
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